

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Meulenberg et al.

Serial No.: 10/750,409

Filed: December 30, 2003

For: INFECTIOUS CLONES OF RNA
VIRUSES AND VACCINES AND
DIAGNOSTIC ASSAYS DERIVED
THEREOF

Examiner: To be assigned

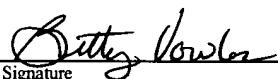
Group Art Unit: To be assigned

Attorney Docket No.: 2183-4041.4US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 10, 2004
Date


Signature

Betty Vowles
Name (Type/Print)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

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<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
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#US- 4,606,940	08/1986	Frank et al.
#US- 4,744,933	05/1988	Rha et al.
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#US- 4,944,948	07/1990	Uster et al.
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Serial No.: 10/750,409

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#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/874,626

Filed: 6/5/2001

For: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.: 2183-4041.1US
Serial No.: 6/5/2001
Filing Date: 09/874,626
Title: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES
AND DIAGNOSTIC ASSAYS DERIVED THEREOF

Attorney Docket No.: 2183-5051US
Serial No.: 09/948,747
Filing Date: 9/7/2001
Title: PRRSV VACCINE

Attorney Docket No.: 2183-2643.3US
Serial No.: 10/226,065
Filing Date: 8/21/2002
Title: CAUSATIVE AGENT OF THE MYSTERY SWINE DISEASE,
VACCINE COMPOSITIONS AND DIAGNOSTIC KITS

Attorney Docket No.: 2183-5584US
Serial No.: 10/300,699
Filing Date: 11/19/2002
Title: CHIMERIC ARTERIVIRUS-LIKE PARTICLES

Attorney Docket No.: 2183-5911US
Serial No.: 10/407,822
Filing Date: 4/4/2003
Title: ADAPTATION SITES OF PORCINE REPRODUCTIVE AND
RESPIRATORY SYNDROME VIRUS

Attorney Docket No.: 2183-2643.4US
Serial No.: 10/737,658
Filing Date: 12/16/2003
Title: CAUSATIVE AGENT OF THE MYSTERY SWINE DISEASE,
VACCINE COMPOSITIONS AND DIAGNOSTIC KITS

Attorney Docket No.: 2183-4041.2US
Serial No.: 10/745,949
Filing Date: 12/23/2003
Title: INFECTIOUS CLONES OF RNA RIVUSES AND VACCINES
AND DIAGNOSTIC ASSAYS DERIVED THEREOF

Serial No.: 10/750,409

Attorney Docket No.: 2183-4041.3US
Serial No.: 10/750,410
Filing Date: 12/30/2003
Title: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES
AND DIAGNOSTIC ASSAYS DERIVED THEREOF

This Supplemental Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits; therefore, no fee is due.

Respectfully submitted,



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Date: February 10, 2004
GSD/bv
Enclosures: Form PTO/SB/08

Document in ProLaw



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/750,409
Filing Date	December 30, 2003
First Named Inventor	Meulenberg et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2183-4041.4US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		#US-3,137,631	06/1964	Soloway	
		#US- 3,959,457	05/1976	Speaker et al.	
		#US- 4,015,100	03/1997	Gnanamuthu et al.	
		#US- 4,205,060	05/1980	Monsimer et al.	
		#US- 4,452,747	06/1984	Gersonde et al.	
		#US- 4,606,940	08/1986	Frank et al.	
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		#US- 5,009,956	04/1991	Baumann	
		#US- 5,132,117	07/1992	Speaker et al.	
		#US- 6,268,199	07/2001	Meulenberg et al.	
		#US- 6,110,467	08/2001	Paul et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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		#0 529 584	8/1992	Boehringer Ingelheim Animal Health Inc.		
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		#WO 96/40932	12/1996	Halbur		

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Sheet 2 of 11

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Application Number	10/750,409
Filing Date	December 30, 2003
First Named Inventor	Meulenberg et al.
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2183-4041.4US

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Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		#US-5,476,778	12/1995	Chladek et al.	
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		#0 587 780	3/1994	Stichting Centraal Diergeneeskundig Instituut		
		#0 610 250	12/1995	Akzo Nobel N.V.		
		#2 282 881	4/1995	Cyanamid Iberica S A		
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		WO 93/07898	04/1993	Akzo N.V.		

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		Filing Date	December 30, 2003		
		First Named Inventor	Meulenberg et al.		
		Group Art Unit	To be assigned		
		Examiner Name	To be assigned		
Sheet	3	of	11	Attorney Docket Number	2183-4041.4US

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Sheet	4	of	11	Attorney Docket Number	2183-4041.4US

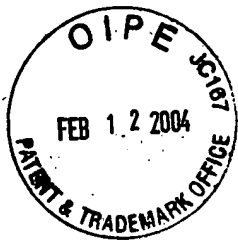
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/750,409
		Filing Date	December 30, 2003
		First Named Inventor	Meulenberg et al.
		Group Art Unit	To be assigned
		Examiner Name	To be assigned
Sheet 9 of 11	Attorney Docket Number	2183-4041.4US	

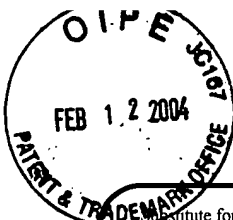
OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/750,409
				Filing Date	December 30, 2003
				First Named Inventor	Meulenberg et al.
				Group Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	10	of	11	Attorney Docket Number	2183-4041.4US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		#PCT International Preliminary Examination Report, PCT/NL02/00314, dated August 26, 2003, 7 pages.	
		#NC_001961, Porcine reproductive and respiratory syndrome virus, complete genome.	
		#AF066183, Porcine reproductive and respiratory syndrome virus RespPRRS MLV, complete genome.	
		#AF325691, Porcine reproductive and respiratory syndrome virus isolate NVSL 97-7985 1A 1-4-2, complete genome.	
		#AF176348, Porcine reproductive and respiratory syndrome virus isolate PA8 complete genome.	
		#AF331831, Porcine reproductive and respiratory syndrome virus BJ-4, complete genome.	
		#AE005172, Arabidopsis thaliana chromosome 1, top arm complete sequence.	
		#NC_002534, Lactate dehydrogenase-elevating virus, complete genome.	
		#U87392, Porcine reproductive and respiratory syndrome virus strain VR-2332, complete genome.	
		#M96262, Lelystad virus, complete genome.	
		#AF184212, Porcine reproductive and respiratory syndrome virus strain SP, complete genome.	
		#AF159149, Porcine reproductive and respiratory syndrome virus isolate MLV RespPRRS/Repro, complete genome.	
		#AF046869, Porcine reproductive and respiratory syndrome virus isolate 16244B, 2/18/97 (Nebraska)pass.3, complete genome.	
		#U15146, Lactate dehydrogenase-elevating virus Plagemann strain, complete genome.	
		#VIIIth International Symposium on Nidoviruses (Corona and Arteriviruses), May 20-25, 2000.	

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Sheet 11 of 11

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Application Number	10/750,409
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Group Art Unit	To be assigned
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SignatureDate
Considered

#Pursuant to 37 C.F.R. § 1.98(d), copies of the previously identified patents are not being provided since they were previously cited by or submitted to the Office in the following prior application:

Serial No.: 09/874,626

Filed: 6/5/2001

For: INFECTIOUS CLONES OF RNA VIRUSES AND VACCINES AND DIAGNOSTIC ASSAYS DERIVED THEREOF, which application is being relied upon for an earlier filing date under 35 U.S.C. § 120.

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